

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

v.

CASE NO. 4:21-CR-00104-BSM

COURTNEY DANIELS

DEFENDANT

ORDER

Courtney Daniels's pro se motion to reduce his sentence and appoint counsel [Doc. No. 36] is denied because the retroactive application of Amendment 821 to the federal sentencing guidelines does not reduce his sentencing range. *See* U.S.S.G. § 1B1.10(a)(2). This is true because the amendment merely reduces his criminal history points from twelve to eleven, and therefore his criminal history category remains at level V. Daniels's request for appointment of counsel is denied because there is no right to appointed counsel in sentence modification proceedings. *United States v. Harris*, 568 F.3d 666, 669 (8th Cir. 2009) (per curiam).

IT IS SO ORDERED this 3rd day of January, 2024.


UNITED STATES DISTRICT JUDGE